

Exhibit E

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

ALTADIS U.S.A. INC., a Delaware
corporation; ALTADIS RETAIL
CORPORATION, a Delaware
corporation; CUBAN CIGAR
BRANDS, N.V., a Netherlands
Antilles corporation; and MAX
ROHR, INC., a Delaware corporation,

CASE NO.: 02-23124-CIV-UNGARO-BENAGES

Plaintiffs,

vs.

TABACALERA CUBANA CORP.,
a Florida corporation, TABACALERA
POPULAR CUBANA, INC., a
Florida corporation, CUBAN REPLICA
CIGAR CO., a partnership, proprietorship
or other business entity, PEDRO F.
GOMEZ, JOEL A. GOMEZ, EDEL GOMEZ,
DAIN INMAN and LEO GUTIERREZ

Defendants.

**AFFIDAVIT IN SUPPORT OF MOTION
FOR PROCEEDINGS SUPPLEMENTARY TO EXECUTION**

BEFORE ME, the undersigned authority, personally appeared Jason S. Oletsky, who,
after being duly sworn deposes and states:

1. I am one of the attorneys representing Plaintiffs/Judgment Creditors, CUBAN CIGAR BRANDS, N.V. ("CCB") and MAX ROHR, INC. ("Max Rohr"), two of the Plaintiffs/Judgment Creditors in the above-captioned action, and have personal knowledge of the facts contained herein.

2. On November 26, 2003, CCB and Max Rohr obtained a Final Judgment for damages and permanent injunction against Defendants, Tabacalera Cubana Corp ("Tabacalera"), Tabacalera Popular Cubana, Inc. ("Popular"), Cuban Replica Cigar Co. ("Replica"), Pedro F.

Gomez ("Pedro"), Joel A. Gomez ("Joel") and Adel Gomez ("Adel") (collectively, the "Judgment Debtors") in the amount of \$900,000.00 awarded as follows:

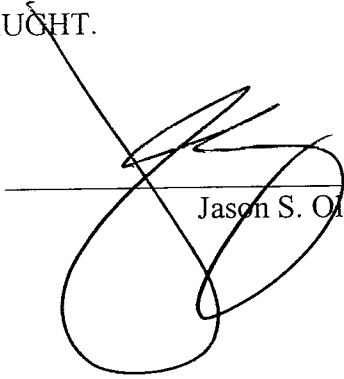
- a. \$600,000.00 from all Judgment Debtors jointly and severally in favor of CCB;
and
- b. \$300,000.00 from all Judgment Debtors jointly and severally in favor of Max Rohr.

3. A Judgment Lien Certificate was filed and issued by the Florida Secretary of State on March 25, 2008 and amended on March 26, 2008 against the Judgment Debtors in favor of CCB. A Judgment Lien Certificate was filed and issued by the Florida Secretary of State on March 26, 2008 against the Judgment Debtors in favor Max Rohr.

4. Writs of Execution in favor of both CCB and Max Rohr have been issued, and remain valid, unsatisfied and are outstanding.

5. CCB and Max Rohr understand that a viable asset of Popular and possibly Pedro, Joel and Edel are certain trademarks, trademark registrations, and the inventory and goodwill associated therewith, specifically: the "POPULAR" trademark and U.S. Registration No. 3,149,225 issued by the U.S. Patent and Trademark Office on September 26, 2006; the "TABACALERA CUBANA CUBA 1913 REAL FABRICA DE TABACOS TABACALERA POPULAR CUBANA and Design" trademark and U.S. Registration No. 2,509,096 issued by the U.S. Patent and Trademark Office on November 20, 2001; and the "POPULAR and Design" trademark and U.S. Registration No. 3,409,586 issued by the U.S. Patent and Trademark Office on April 8, 2008 (collectively, the "POPULAR Trademarks"). Popular is listed as the owner of the POPULAR Trademarks. Pursuant to Fla. Stat. § 56.29, CCB and Max Rohr are entitled to Proceedings Supplementary as a matter of law.

FURTHER AFFIANT SAYETH NAUGHT.



Jason S. Oletsky

STATE OF FLORIDA)
) ss:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 15th day of April 2008 by Jason S. Oletsky, ☐ who is personally known to me.



NOTARY PUBLIC, IN AND FOR THE STATE
OF FLORIDA AT LARGE

Print Name: _____

My Commission Expires:

